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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

UNILOC USA, INC.,
 UNILOC LUXEMBOURG, S.A., and
 UNILOC 2017 LLC,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No.: 5:19-cv-01692-EJD

**STIPULATION AND [PROPOSED]
 ORDER TO STAY PENDING APPEALS**

THE PARTIES STIPULATE to stay this action, pending appeal of this District's decision regarding the Uniloc entities' lack of standing in *Uniloc 2017 LLC v. Google LLC* (Case No. 20-4355 and various related cases); this District's decision regarding Uniloc USA, Inc.'s and Uniloc Luxembourg S.A.'s lack of standing in *Uniloc USA, Inc. et al v. Apple Inc.* (Case No. 18-358); and the District of Delaware's decision regarding Uniloc USA, Inc.'s and Uniloc Luxembourg S.A.'s lack of standing in *Uniloc USA, Inc. et al. v. Motorola Mobility LLC* (Case No. 17-1658).

Those courts held that a third party had the ability to sublicense the patents in the Uniloc portfolio as of the dates those actions were filed; that that ability deprived the Uniloc plaintiffs of constitutional standing to file the actions; and that the court therefor did not have subject matter jurisdiction. As a result, those courts dismissed the actions, and the Uniloc plaintiffs are appealing those decisions.

Because those decisions appear to create issue preclusion as to various factual and legal issues in this action, and that preclusion may cause this Court to lack subject matter jurisdiction over this action, the parties believe the Court cannot proceed until the Federal Circuit resolves those issues.

The parties therefor STIPULATE, with the consent of the Court, to stay this action until the last of such decisions on the above appeals by the United States Court of Appeals for the Federal Circuit.¹

Dated: January 15, 2021

Respectfully submitted,

/s/ James J. Foster

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¹ Apple agrees with the stay, with the exception that counsel for Apple in this case intends to file shortly a motion for relief from the protective order for Apple to file under seal a limited amount of information from this case in *Intel Corp. v. Fortress Investment Group et. al.*, 3:19-cv-07651-EMC (N.D. Cal.). Uniloc will oppose such a motion, if one is filed.

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13 SO ORDERED:

14 EDWARD J. DAVILA

15 United States District Judge